

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD
ON WEDNESDAY, OCTOBER 21, 2015 AT 6:00 P.M. IN THE CITY COUNCIL
CHAMBERS**

MAYOR: Alfonso E. Ortiz, Jr.

COUNCILORS: Vincent Howell
David L. Romero
Tonita Gurule-Giroñ
Joey Herrera

ALSO PRESENT: Elmer J. Martinez - City Manager
Casandra Fresquez- City Clerk
Dave Romero - City Attorney
Juan Montano - Sergeant at Arms

CALL TO ORDER

Mayor Ortiz, Jr. called the meeting to order at 6:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Ortiz, Jr. asked for a moment of silence to remember the four year old child who had tragically lost her life recently and to be thankful for the benefits and opportunities we have in our lives.

APPROVAL OF AGENDA

Councilor Herrera made a motion to approve the agenda as is. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David L. Romero	Yes
Joey Herrera	Yes	Tonita Gurule-Giroń	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

APPROVAL OF MINUTES

Councilor Herrera made a motion to approve the minutes for September 9th-Special, September 9th-Work Session and September 23rd, 2015. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	Joey Herrera	Yes
Vincent Howell	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

MAYOR'S APPOINTMENTS/REPORTS

Mayor Ortiz, Jr. reported that he had met with Ralph Arellanes a Las Vegas native, Executive Director of New Mexico LULAC and Chairman of Hispano Round Table (HRT) of New Mexico regarding renaming South Pacific Street Park.

Mayor Ortiz, Jr. advised that the Arellanes family has resided on South Pacific Street in Las Vegas, attended West Las Vegas schools as well as Highlands University and informed that Mr. Arellanes asked if the City would consider renaming the park to "Arellanes Family Park".

Mayor Ortiz, Jr. advised that the process under Resolution 05-31 would involve creating a committee of at least four citizens appointed by Mayor and approved by Council and recommended Councilor David L. Romero, Tito Chavez, Cindy Collins and Gilbert Martinez to be on the committee.

There were no objections from Council regarding the appointing of the committee to move forward with the process of the name change of South Pacific Park.

MAYOR'S RECOGNITION/PROCLAMATIONS

Mayor Ortiz, Jr. recognized representative Salas from the Office of United States Congressman Lujan for attending the NERPO meeting regarding the requirements for federal dollars in support of the Samaritan House.

PUBLIC INPUT

City Manager Martinez advised there was no one signed up for public input and informed that he recommended City Clerk Fresquez to include on the agenda, notification of signing up for Public Input at least fifteen (15) minutes prior to meeting.

CITY MANAGER'S REPORT

City Manager Martinez reported that Solid Waste Director Matt Griego would present information regarding the improvements to the Transfer Station and to briefly discuss the goals they have for the Solid Waste Facility and for the community as well.

Solid Waste Director Griego briefly discussed the Executive Order regulations utilized by the Solid Waste Department regarding many circumstances on the subject of the management of solid waste in the City of Las Vegas.

City Manager Martinez added that Solid Waste staff needed to follow regulations but at the same time, considered it necessary to be sensitive to the elderly or disabled individuals.

Solid Waste Director Griego advised that commercial billing audits were being completed pertaining to over and under billing and advised that the issues of branches were being addressed.

Discussion took place on numerous issues concerning Solid Waste customer billing and what was acceptable for waste pick-up under the Ordinance.

Questions were asked regarding the disposal of concrete and who accepted it in the area.

Solid Waste Manager Griego advised that the City does not accept concrete but added that BTU accepted concrete.

Councilor Gurule-Giroń stated that in the past she recalled Mayor Ortiz, Jr. accepting concrete and debris in the San Geronimo area.

Mayor Ortiz, Jr. stated for the record "that there was a dumpsite, and the City was supposed to put a layer of two or three feet of dirt, they put a layer of about a foot and that's the way it still is".

Discussion took place of issues concerning the type of debris that is acceptable by the Solid Waste Department.

Councilor Gurule-Giroń expressed her concerns regarding the Executive Order which was adopted in May 2010, also with the Administrative Regulations and added that they were inconsistent with NMAC- 9.1.

Councilor Gurule-Giroń stated that there are many factors to take into consideration regarding additional fees to Solid Waste customers and recommended providing public announcements clarifying the additional costs.

Discussion took place of several issues concerning illegal dumpsites in the business areas in the City.

Councilor Gurule-Giroń asked Solid Waste Director Griego to give an overview of the 20 NMAC- 9.1 Administrative Code.

City Attorney Romero stated that the request from Council Gurule-Giroń for a legal interpretation of the NMAC from Solid Waste Director Griego, suggested that the NMAC overrode the City's policy and advised that he disagreed.

Councilor Gurule-Giroń stated that usually the NMAC did override local ordinances and added that the only way it would not override an ordinance would

be if cities fell under the Small Cities Program, which would allow localities and municipalities to adopt their own intra-departmental regulations.

City Attorney Romero stated that he recommended reviewing the documents with Solid Waste Director Griego in order to address any legal questions and concerns brought forth by Councilor Gurule-Giroń and would be presented at the next meeting.

Mayor Ortiz, Jr. advised that the situation would need to be resolved in a timely manner by reviewing both the NMAC regulations and the Executive Order issued.

Councilor Gurule-Giroń stated that it was important to re-evaluate the current executive order, towards ensuring that the community was not being charged exorbitant fees for dumping.

Solid Waste Director Griego advised that the Ordinances utilized by the Solid Waste Department had been accepted as part of the Master Operations Plan by the New Mexico Environment Department Solid Waste Bureau.

Councilor Herrera stated that he felt the Executive Order passed in 2010 was quite lenient to local constituents and added that it was a step in the right direction.

Councilor Herrera had questions and concerns pertaining to the location of roll-outs at the time of non-scheduled trash pick- up days.

Solid Waste Director advised that roll-outs should be brought back to the owner's property after trash is picked up.

Councilor Romero had a question pertaining to the Solid Waste Department disposing of refrigerators.

Solid Waste Director Griego advised that Solid Waste was not permitted to accept refrigerators and customers would be re-directed to PNM or to Capital Recycling.

Mayor Ortiz, Jr. thanked Solid Waste Director Griego and his staff for their hard work in making improvements and moving ahead in resolving the current issues.

Councilor Howell stated that in the future, he would like to see residential roll-outs that carry recyclables.

Solid Waste Director Griego advised that he was currently in the early stages of working on a recycling project to accommodate residents who desire to utilize recycling bins.

Councilor Gurule-Giroń suggested that the Solid Waste Department take into consideration the location of roll-outs on scheduled pick-up day, due to not every resident having sidewalks.

City Manager Martinez advised that EDC Executive Director Bill Hendrickson would be making a presentation on the Gallinas River Park.

Mr. Hendrickson advised that the EDC was collaborating with City of Las Vegas, Mainstreet, Chamber of Commerce and several other agencies on the Gallinas River Park.

Hermits Peak Water Shed Alliance member Lea Knutson informed that the project included reconstructing and revitalizing the river walk area as an urban green space with the intention of restoring ecological health to the river and surrounding area.

Ms. Knutson advised that this project would revitalize the community and added that this project needed to be started with a comprehensive planning and a realistic approach.

Mayor Ortiz, Jr. advised that the City of Las Vegas made efforts in the past to clean the river walk area but were prohibited by Army Core of Engineers and New Mexico Environment Department due to diverting water by any removal of trees.

Ms. Knutson advised that the work their organization does was in line with what the Core of Engineers is supporting and they obtain permits from the Core of Engineers to do their work in restoring health of the river, which they are in support of.

Ms. Knutson advised that the ecological plan included improvement of water quality, addressing flooding and drought issues, increasing fish and wildlife habitat, treating urban storm water run-off and designed the project to improve overall health of the water shed.

Mr. Henderickson explained that the economic plan included new businesses coming to town, "on the river" businesses; tourists, esthetics and positive experience that would eventually bring youth back to the city.

Mr. Henderickson advised that a grant had already been submitted and that it would go towards conceptual design and added that a strategic approach would be developed and they would continue to pursue funding sources.

Ms. Knutson informed that Hermits Peak had drafted a \$300,000.00 proposal to the New Mexico River Stewardship Program to help with an upcoming Gallinas Project and advised that the river restoration project would also qualify for some of that funding.

Presentation took place on several other future plans that could take place regarding the river restoration project.

Mr. Henderickson expressed what a great opportunity this was and added that this river project would be an asset to our community and stimulate economic growth.

Mayor Ortiz, Jr. stated that he was very enthused with the ideas presented and added that he thought there were many possibilities regarding the river restoration project.

Mayor Ortiz, Jr. commended Mr. Hendrickson and Ms. Knutson for their efforts in moving the project forward along with having a comprehensive plan and agreed it would entice the community and tourists as well.

Councilor Gurule-Giroń thanked Ms. Knutson for the great job on the efforts regarding the river restoration project.

Ms. Knutson expressed that the restoration project would move forward with the help of many entities and the community working as a team.

Councilor Howell spoke of the Water Shed improvements and hoped that the Gallinas River Park would thrive as well and commended the team for the vision and plans they had for the park.

Councilor Herrera stated that he was excited with enthusiasm and challenged the Governing Body to submit a letter of support, as he already had, in the hard work of getting the project off to a good start and thanked everyone involved for their efforts.

FINANCE REPORT

Finance Director Ann Marie Gallegos presented the finance report ending September 30, 2015 collecting twenty three percent of revenue for the General Fund and advised that General Fund expenditures came in at twenty three percent.

Finance Director Gallegos advised that expenditures are slightly higher in the Public Works/Airport Department due to ordering salt and cinder for the upcoming winter months and added that the Carnegie Library is paying off books that have been ordered.

Finance Director Gallegos reported that the Recreation Department revenue was at twenty three percent and expenditures were at thirty percent and advised that they have met with Recreation Center Director Philip Ortiz regarding the expectations of revenue.

City Manager Martinez advised that he had met with Recreation Department Director Ortiz concerning tracking activities and programs that would help in identifying where to apply needed resources and to increase greater demand services that would bring in more revenue.

City Manager Martinez informed that work was still taking place at the Recreation Center.

Finance Director Gallegos advised that the New Mexico Finance Administration had given permission to move forward with the design process with local funds, as they await the loan approval in December and informed the bid documents for construction would be out by December.

Finance Director Gallegos advised that revenues for the Enterprise Funds were at twenty percent but added that an increase in revenues related to gas, would be seen in the next couple of months and reported that expenditures came in at twenty one percent.

Councilor Howell asked a question regarding the status of the on-line billing.

Finance Department Director Gallegos advised that costs associated with debit and credit card use by the customer was a factor and that it was being discussed and would be brought back to Council for further direction.

Finance Department Director Gallegos explained that the Tyler system would apply a \$1.25 fee to the customer for credit or debit card use and advised that the City would need to offset their costs however they were ready to move forward as soon as a recommendation was made by City Manager Martinez and then brought to Council for approval.

Councilor Gurule-Giroń questioned how safe the Tyler system would be regarding the security of customer information due to the fact of having issues with the Tyler system in the past.

Finance Director Gallegos informed that the \$1.25 fee applied to the customer would go towards Tyler Technologies assuming the liability of securing customer information and advised that a complete assessment of the Tyler System was recommended by the IT staff, in order to identify ways of improving security to be more efficient.

Councilor Gurule-Giroń asked if the community would be informed of the risks involved, due to previous audit findings and track record of Tyler Technologies.

Finance Director Gallegos advised that the costumers would be informed that Tyler would be responsible for security issues.

CONSENT AGENDA

Councilor Herrera made a motion to approve consent agenda as read by City Clerk Fresquez. Councilor Howell seconded the motion.

City Clerk Fresquez read the consent agenda business items into the record to include business items one through nine.

1. Approval of out of state travel for Police Department.
2. Approval of Extension of Contractual Agreement for inmate confinement for prisoner and/or inmates arrested by the City.
3. Approval of Resolution to donate (1) Cascade Eagle Compressor Model #BAP8EK3 Serial #42702201 and (4) four Cylinder Bottles DOT E-9421-4500/6750 Numbers: 734449, 735016, 105086 and 105088.
4. Approval of Resolution #15-49 Budget Adjustment Resolution.

Resolution #15-49 was presented as follows:

STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF LAS VEGAS
BUDGET ADJUSTMENT RESOLUTION NO. 15-49

WHEREAS, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget for fiscal year 2016; and

WHEREAS, said budget adjustments were developed on the basis of an increase in revenues and expenditures, transfers in/or out in various funds; and

WHEREAS, increase/decrease in revenues, expenditures, transfer in, and transfers out to be funded by additional grant funds, additional funds from State Cooperative agreements, and reserve funds that need to be included in project funds, and;

WHEREAS, the City of Las Vegas is in need of making adjustments to the 2016 fiscal year budget;

WHEREAS, it is the majority opinion of this Council that the budget adjustments meet the requirements as currently determined for fiscal year 2016;

NOW, THEREFORE, the Governing Body of the City of Las Vegas passes this budget resolution for budget adjustments, **PASSED, APPROVED AND ADOPTED THIS** 21st **DAY OF** October 2015.

Alfonso E. Ortiz, Jr. Mayor

ATTEST:

Casandra Fresquez, City Clerk

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY:

Dave Romero, City Attorney

5. Approval to publish Ordinance #15-11 authorizing the execution and delivery of a loan agreement between the City of Las Vegas and the New Mexico Finance Authority.

6. Approval of Resolution #15-42 Abatement of nuisances located at 236 Bernal Street.

Resolution 15-42 was presented as follows:

CITY OF LAS VEGAS

RESOLUTION NO. 15-42

A RESOLUTION DECLARING 236 BERNAL STREET WHICH IS OWNED AND CONTROLLED BY PABLO JOAQUIN AND ALFRED LOPEZ TO BE DANGEROUS, COVERED WITH RUINS, RUBBISH, WRECKAGE AND DEBRIS AND A NUISANCE REQUIRING ABATEMENT

WHEREAS, pursuant to Section 3-18-5, NMSA, 1978, whenever any building or structure is ruined, or any premise is covered with ruins, rubbish wreckage or debris, the governing body of a municipality may by resolution find that the ruined, damaged and dilapidated building, structure or premises is a menace to the public comfort, health, peace or safety and require the removal from the municipality the building, structure, ruins, rubbish, wreckage or debris; and

WHEREAS, the Las Vegas City Council has received evidence from the Community Development Department/Code Enforcement as to the condition of a parcel of land described herein, which are owned, occupied or controlled by Pablo Joaquin and Alfred Lopez, whose address is 236 Bernal Street, according to the records at the San Miguel County Assessor's Office and described in said records as "1811 Town of Las Vegas Lt 10" (property code # (1-095-092-067-260-161).

WHEREAS, the property is a public nuisance and the premises are a menace to the public comfort, health, peace and safety of the community and is in violation of City of Las Vegas Ordinance 301 Sections 6 Nuisance Declared; Unsanitary Premises (B); Hazardous Premises (C); Outdoor Vehicle Storage-Inoperable Vehicles (G); as well as Chapter 377-28 Responsibility of property owner to maintain adjacent right-of-way.

Items stored on the premises and visible from the public right of way in violations of City ordinances include but are not limited to tin, cars, trucks, boards, dead branches, metals, and weeds.

WHEREAS, the City has posted 2 Certified Red Tags on the Property in plain view of the side walk notifying of the violation on the property. Certified mail was also sent out twice to the property owners noted above. 2 Certified letters were also sent out extending the process a total of 20 days.

WHEREAS, proper notices served upon certified mail and on the property included: a Red Tag Notice of Violation on June 16, 2015; a Notice of Pending Abatement on June 29, 2015; a Letter of Extension on July 9, 2015; a Final Notice on August 6, 2015. In the face of these notices, the nuisances remain and continue to pose a hazard to health, welfare, and safety of the public. Both Red Tags allowed for 10 days to correct the violations noted above.

NOW, THEREFORE, the City Council, the governing body of the City of Las Vegas, New Mexico does hereby resolve:

A. That the above described parcel of land is a nuisance pursuant to Section 3-18-5, NMSA, 1978, is a menace to the public comfort, health, peace or safety and requires abatement as follows: All weeds, wreckage, rubbish and debris as described above and any other materials in violation of the Ordinance described above shall be removed from the property and properly disposed of.

B. The City shall serve a copy of this resolution on the owner, occupant or agent, including Pablo Joaquin and Alfred Lopez, in charge of the premises as shown by the records of the County Assessors. If the owner occupant or agent in charge of the building, structure or premises cannot be served within the municipality, a copy of the resolution shall be posted on the building, structure or premises and a copy of the resolution shall be published one time.

C. Thereafter, and within ten (10) days after receipt of a copy of this resolution or of the posting and publishing of a copy of the resolution, the owner occupant or agent, in charge of the building, structure or premises shall commence removing the ruins, rubbish, wreckage and debris or file a written objection with the Municipal Clerk asking for a hearing before the governing body of the City of Las Vegas. .

D. That if a written objection is filed, the Governing Body shall follow the provisions as set forth of 3-18-5 D. NMSA 1978; fix a date for a hearing in its resolution and objection; consider all evidence for and against the removal resolution at the hearing; and determine if its resolution should be enforced or rescinded.

E. Any person aggrieved by the determination of the governing body may appeal to the district court by: giving notice of appeal to the governing body within 5 days after the determination made by the governing body; filing a petition in the district court within twenty days after the determination made by the governing body. The district court shall hear the matter de novo and enter judgment in accordance with

its findings.

F. If the owner occupant or agent in charge of the building, structure or premises fails to commence removing the ruins, rubbish wreckage and debris as provided under NMSA 3-18-5 F, the municipality may remove ruins, rubbish wreckage and debris at the cost and expense of the owner. The reasonable cost of removal shall constitute a lien against the building, structure, ruins, rubbish wreckage and debris so removed and against the lots or parcels of land from which it was removed. The lien shall be foreclosed in the manner provided in sections 3-36-1 through 3-36-6 NMSA 1978.

F. The municipality may pay for the costs of removal of any condemned building, structure, wreckage, rubbish or debris by granting to the person removing such materials, the legal title to all salvageable materials in lieu of all other compensation.

H. Any person or firm removing any condemned building, structure, wreckage, rubbish or debris shall leave the premises from which the material has been removed in a clean, level and safe condition, suitable for further occupancy or construction and with all excavations filled.

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____ 2015

Alfonso E. Ortiz Jr, Mayor

ATTEST:

Casandra Fresquez, City Clerk

REVIEWED AND APPROVED BY:

Dave Romero, City Attorney

7. Approval of Resolution # 15-47 Abatement of nuisances located at 831 Chavez Street.

Resolution 15-47 was presented as follows:

CITY OF LAS VEGAS

RESOLUTION NO. 15-47

A RESOLUTION DECLARING 831 CHAVEZ STREET WHICH IS OWNED AND CONTROLLED BY DANNY PADILLA & OTHERS TO BE DANGEROUS, COVERED WITH

RUINS, RUBBISH, WRECKAGE AND DEBRIS AND A NUISANCE REQUIRING ABATEMENT

WHEREAS, pursuant to Section 3-18-5, NMSA, 1978, whenever any building or structure is ruined, or any premise is covered with ruins, rubbish wreckage or debris, the governing body of a municipality may by resolution find that the ruined, damaged and dilapidated building, structure or premises is a menace to the public comfort, health, peace or safety and require the removal from the municipality the building, structure, ruins, rubbish, wreckage or debris; and

WHEREAS, the Las Vegas City Council has received evidence from the Community Development Department/Code Enforcement as to the condition of a parcel of land described herein, which are owned, occupied or controlled by Danny Padilla and Others, whose address is 8804 Suncrest Avenue SW Albuquerque, NM., according to the records at the San Miguel County Assessor's Office and described in said records as "Subdivision 1811 Town of Las Vegas Blk 15" (property code # 1-094-092-445-218-13.

WHEREAS, the property is a public nuisance and the premises are a menace to the public comfort, health, peace or safety of the community and is in violation of City of Las Vegas Ordinance 301 Sections 6 Nuisance Declared; Unsanitary Premises (B); Hazardous Premises (C); Dangerous/Unsafe Buildings or Structures (H). Items stored on the premises and visible from the public right of way in violations of City ordinances include but are not limited to glass, tin, boards, plastic, weeds, dead branches, Chinese elms, and a dilapidated structure. Walls on the building are deteriorating, and creating a menace for the public.

WHEREAS, the City has posted 2 Certified Red Tags on the Property in plain view of the side walk notifying of the violation on the property. Certified mail was also sent out twice to the property owners noted above. Certified Mail was signed.

WHEREAS, proper notices served upon certified mail and on the property included: a Red Tag Notice of Violation on August 25, 2015; a Notice of Pending Abatement on September 4, 2015. In the face of these notices, the nuisances remain and continue to pose a hazard to health, welfare, and safety of the public. Both Red Tags allowed for 10 days to correct the violations noted above.

NOW, THEREFORE, the City Council, the governing body of the City of Las Vegas, New Mexico does hereby resolve:

A. That the above described parcel of land is a nuisance pursuant to Section 3-18-5, NMSA, 1978, is a menace to the public comfort, health, peace or safety and requires abatement as follows: All trailers, wreckage, rubbish and debris as described above and any other materials in violation of the Ordinance described above shall be removed from the property and properly disposed of.

B. The City shall serve a copy of this resolution on the owner, occupant or agent, including Danny Padilla & others, in charge of the premises as shown by the records of the County Assessors. If the owner occupant or agent in charge of the building,

structure or premises cannot be served within the municipality, a copy of the resolution shall be posted on the building, structure or premises and a copy of the resolution shall be published one time.

C. Thereafter, and within ten (10) days after receipt of a copy of this resolution or of the posting and publishing of a copy of the resolution, the owner occupant or agent, in charge of the building, structure or premises shall commence removing the ruins, rubbish, wreckage and debris or file a written objection with the Municipal Clerk asking for a hearing before the governing body of the City of Las Vegas. .

D. That if a written objection is filed, the Governing Body shall follow the provisions as set forth of 3-18-5 D. NMSA 1978; fix a date for a hearing in its resolution and objection; consider all evidence for and against the removal resolution at the hearing; and determine if its resolution should be enforced or rescinded.

E. Any person aggrieved by the determination of the governing body may appeal to the district court by: giving notice of appeal to the governing body within 5 days after the determination made by the governing body; filing a petition in the district court within twenty days after the determination made by the governing body. The district court shall hear the matter de novo and enter judgment in accordance with its findings.

F. If the owner occupant or agent in charge of the building, structure or premises fails to commence removing the ruins, rubbish wreckage and debris as provided under NMSA 3-18-5 F, the municipality may remove ruins, rubbish wreckage and debris at the cost and expense of the owner. The reasonable cost of removal shall constitute a lien against the building, structure, ruins, rubbish wreckage and debris so removed and against the lots or parcels of land from which it was removed. The lien shall be foreclosed in the manner provided in sections 3-36-1 through 3-36-6 NMSA 1978.

F. The municipality may pay for the costs of removal of any condemned building, structure, wreckage, rubbish or debris by granting to the person removing such materials, the legal title to all salvageable materials in lieu of all other compensation.

H. Any person or firm removing any condemned building, structure, wreckage, rubbish or debris shall leave the premises from which the material has been removed in a clean, level and safe condition, suitable for further occupancy or construction and with all excavations filled.

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____ 2015

Alfonso E. Ortiz Jr, Mayor

ATTEST:

Cassandra Fresquez, City Clerk

REVIEWED AND APPROVED BY:

Dave Romero, City Attorney

8. Approval of Resolution #15-48 in support of MainStreet de Las Vegas' application in the amount of \$50,000.00 to New Mexico MainStreet for way finding signage in Las Vegas' downtown districts.

Resolution #15-48 was presented as follows:

**CITY OF LAS VEGAS
RESOLUTION NO: 15-48**

**A RESOLUTION OF THE CITY OF LAS VEGAS, NEW MEXICO, IN SUPPORT OF
APPLICATION BY MAINSTREET DE LAS VEGAS FOR NEW MEXICO MAINSTREET
FISCAL YEAR 2016 APPROPRIATION FOR WAY FINDING SIGNAGE**

WHEREAS, the City of Las Vegas supports the revitalization and economic development of its historic commercial core, and

WHEREAS, the City of Las Vegas desires to maintain an economically vital and vibrant town center for its residents, visitors and tourists, and

WHEREAS, the City of Las Vegas sees an economically healthy downtown as one of its critical assets, and

WHEREAS, the City of Las Vegas recognizes its traditional commercial core as representing the unique history and culture of our community, and

WHEREAS, the City of Las Vegas recently completed a comprehensive branding package ("New Adventures Down Old Trails") which includes way finding, and

WHEREAS, the City of Las Vegas fully supports and endorses the application by MainStreet de Las Vegas for way finding signage in the downtown districts in the amount of \$50,000, and

WHEREAS, the City of Las Vegas agrees to serve as fiscal agent for funds.

NOW THEREFORE be it resolved that the City of Las Vegas does hereby support MainStreet de Las Vegas' application to New Mexico MainStreet for \$50,000 for way finding signage in Las Vegas' downtown districts. The City of Las Vegas commits \$10,000 in match and will serve as the fiscal agent.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2015.

Mayor Alfonso E. Ortiz, Jr.

ATTEST:

Casandra Fresquez, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY ONLY

Dave Romero, City Attorney

9. Approval to award request for bid #2016-17 for Natural Gas Inventory Supplies as a multiple source award to Mountain States Pipe & Supply, KGM and Secor.

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	Joey Herrera	Yes
Vincent Howell	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

BUSINESS ITEMS

1. Conduct a Public Hearing and Approval/Disapproval of application requesting a transfer of ownership submitted by Franken Oil & Distributing Company, DBA Franken Oil & Distributing Company, located at 1339 Grand Avenue, Las Vegas, NM 87701, License/Application #0290/955700.

Councilor Gurule-Giroń made a motion to go into Public Hearing. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Vincent Howell	Yes
Tonita Gurule-Giroń	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

City Attorney Dave Romero asked anyone who wished to speak on the issue, to stand and be sworn in. Casandra Fresquez and Alan Franken were sworn in.

City Clerk Frequez advised that an application had been submitted for a transfer of ownership of liquor license 0290. The applicant currently owns the liquor license but there has been a change to the stockholders of the corporation.

City Clerk Fresquez took the opportunity to make a clarification regarding the application that was sent to City Clerk's Office from Alcohol and Gaming Division, which stated there was a 45 day after receipt of notice from Alcohol and Gaming Division that the Governing Body shall hold a Public Hearing and the question whether the department should approve the proposed issuance of transfer.

City Clerk Fresquez added that there was a conflict between the new 30 day notice and the existing 45 day hearing requirement and informed Council that the Alcohol and Gaming understood the challenges that the City has to meet, due to meeting dates on certain days.

City Clerk Fresquez explained that with this particular application, the hearings occurred within 35 days; therefore Alcohol and Gaming Division allowed the extension of the 45 days and added that the zoning and publication requirements had been met.

Councilor Gurule-Giroń had a question concerning notification to Planning and Zoning.

City Manager Martinez clarified that this item did not go to Planning and Zoning and added that it goes to a Zoning Officer to review the application and looks at the zoning requirements of the application and prepares for response.

Councilor Herrera made a motion to close Public Hearing and to accept the record proper. Councilor Gurule-Giroń seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell

Yes

Joey Herrera

Yes

David L. Romero	Yes	Tonita Gurule-Giroń	Yes
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City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Gurule-Giroń made a motion to reconvene into Regular Session. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David L. Romero	Yes
Joey Herrera	Yes	Tonita Gurule-Giroń	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Herrera made a motion to approve the application requesting a transfer of ownership submitted by Franken Oil & Distributing Company, DBA Franken Oil & Distributing Company, located at 1339 Grand Avenue, Las Vegas, NM 87701, License/ Application #0290/955700. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	Joey Herrera	Yes
David L. Romero	Yes		

Councilor Howell disclosed the fact that he was employed by the Better Stop, Franken Oil & Distributing Company and informed that he had no financial interests in stocks, bonds or profit sharing and advised he would vote on Business Item #1, if there were no objections by the Governing Body.

There were no objections by the Governing Body regarding that Councilor Howell vote on Business Item #1.

Councilor Howell voted Yes on Business Item #1.

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Gurule-Giroń asked what the changes were regarding stockholders on the application.

City Clerk Fresquez advised the changes regarding stockholders was not included in the application.

Alan Franken informed Councilor Gurule-Giroñ that the State of New Mexico constituted a change of ownership due to his mother, who was deceased, transferring her estate to her four sons.

2. Approval/Disapproval to adopt Resolution #15-52 Authorizing submission of the area plan to Non-Metro Area Agency on Aging for the Las Vegas Senior Center.

Community Services Director Philip Ortiz introduced the new Senior Center Manager Wanda Salazar.

Community Services Director advised that the North Central New Mexico Economic Development District (NCNMEDD), Non-Metro Area Agency on Aging (Non-Metro AAA) is accepting proposals for the provision of services to the elderly to include, but not limited to, congregate meals, home delivered meals, transportation, adult day care, homemaker services, etc.

Councilor Gurule-Giroñ made a motion to approve to adopt Resolution #15-52 Authorizing submission of the area plan to Non-Metro Area Agency on Aging for the Las Vegas Senior Center. Councilor Herrera seconded the motion.

Resolution #15-52 was presented as follows:

**CITY OF LAS VEGAS
Resolution No. 15-52**

A RESOLUTION AUTHORIZING SUBMISSION OF THE AREA PLAN TO NON-METRO AREA AGENCY ON AGING FOR THE LAS VEGAS SENIOR CENTER

WHEREAS, the City of Las Vegas has determined that there is a need to provide services for senior citizens; and

WHEREAS, the seniors were afforded the opportunity to submit suggestions and recommendations at advertised public hearings; and

WHEREAS, the City of Las Vegas authorizes the submission of an area plan to Non-Metro Area Agency on Aging.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LAS VEGAS that:

Elmer J. Martinez, City Manager for the City of Las Vegas is authorized to sign and enter into a contract(s) and sign off on all official documents with Non-Metro Area Agency on Aging.

ADOPTED by the Governing Body at its meeting of October __, 2015.

Alfonso E. Ortiz, Jr., Mayor

ATTEST

Casandra Fresquez, City Clerk

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Joey Herrera	Yes	David L. Romero	Yes
Vincent Howell	Yes	Tonita Gurule-Giroń	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

COUNCILOR'S REPORTS

Councilor Gurule-Giroń took the opportunity to thank City Manager Martinez, Streets and Utilities Departments on behalf of Councilor Romero and herself, regarding the progress of several street projects in the community.

City Manager Martinez recognized that Department Directors were getting the job done and advised Council that a summary report of project developments is being prepared and would be available soon.

Councilor Howell stated that he had received several call from constituents encouraging the Governing Body to hold off on increasing the Gross Receipt Tax due to the hard economic times they are experiencing.

Mayor Ortiz, Jr. stated that the City's intent is never to impose a tax increase but at the same time, there are always costs and added that a balance is needed and that the possibilities of an increase are always there.

Councilor Howell recommended creating a committee to discuss the subject of a different rate scale for low-income residents regarding unpaid water bills.

Mayor Ortiz, Jr. agreed with Councilor Howell's recommendation of creating a committee to work with Utilities to address the issues of unpaid water bills and added that he wished the City could help many people in need with other services but there are difficulties to face and there are limits involved.

Councilor Gurule-Giroñ advised that she had been confronted by several businesses regarding the rate increase and advised that she was not in support of any utility rate increases or GRT increases as well.

Councilor Gurule-Giroñ expressed her thoughts on the water situation and felt that the City of Las Vegas had not made any progress regarding the Bradner Dam Project.

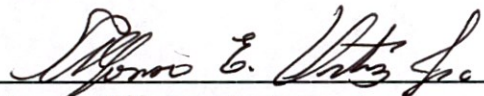
Discussion took place regarding the many issues concerning of a possible rate increase relating to how it would benefit water storage.

Mayor Ortiz, Jr. explained that a legal challenge had halted any progress on Bradner Dam with the possibility of losing funding and wished everyone involved could work collaboratively for the future of the City of Las Vegas.

Councilor Herrera made a motion to adjourn. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflecting the following:

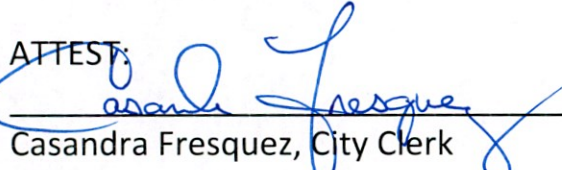
Joey Herrera	Yes	David L. Romero	Yes
Vincent Howell	Yes	Tonita Gurule-Giroñ	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.



Mayor Alfonso E. Ortiz, Jr.

ATTEST:



Casandra Fresquez, City Clerk